

REMARKS

Claims 1-9 and 12-20 are currently pending. Claim 3, 6, 8, and 18 has been amended for clarification. It is respectfully submitted that no new matter has been added.

The Patent Office objected to the drawings as failing to comply with 37 C.F.R. 1.84(p)(5) for not illustrating the reference numerals 1, 3, 6, 11, and 20 and reference AMR 515, described on page 6, lines 10-16, of the specification as filed. Applicant has amended the paragraph beginning on page 9, line 9, to delete "1, 3, 6, 11, and 20" and "515." Accordingly, it is respectfully requested that the Patent Office withdraw its objection to the drawings.

The Patent Office rejected claims 1-15 and 18-20 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

The Patent Office asserted that "in claim 1, line 9, the limitation 'steals at least one whole voice block' was inadequate described in the specification." It is not clear if the Patent Office means frame stealing as such or a frame stealing of "at least one whole block." If the Patent Office means frame stealing of such, in rebuttal, Applicant points out that the frame stealing process is well supported, as is clearly depicted beginning from page 2, line 34, to page 3, line 5, of Applicant's disclosure as filed. If the Patent Office means frame stealing of at least one whole block, then support may be found on page 6, lines 9-13, of Applicant's disclosure as filed. It is clearly stated that "stealing of one Adaptive Multi-Rate (AMR) voice block gives 14 bytes" and "...the stealing of two voice blocks will meet the space requirement of long headers." Applicant believes that the subject matter of stealing at least one whole voice block is adequately described in the original disclosure and is adequately enabled by that original disclosure.

The Patent Office rejected claim 6 under 35 U.S.C. 112, second paragraph, as being indefinite asserting a lack of antecedent basis for claim 6's limitation of "said saved bits."

In response, Applicant has deleted the word said from line 3 of claim 6 and respectfully requests that the Patent Office withdraw its rejection of claim 6 under 35 U.S.C. 112, second paragraph.

The Patent Office rejected claims 16 and 17 under 35 U.S.C. 102(b) as being anticipated by Ching, U.S. Patent No. 4,665,514.

For a claim to be anticipated, generally, each and every non-inherent claim limitation

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must be disclosed in a single reference (from MPEP 2131).

Although Ching discloses an algorithm to reduce bits in a voice sample where a packet-switched network is implemented by fixed (cabled) connections, Ching does not disclose that the depicted process is implemented in a cellular network (wireless network).

Thus, Ching does not anticipate claims 16 or 17.

Thus, claims 1-9 and 12-20 are allowable.

The Patent Office is respectfully requested to reconsider and remove the rejections of the claims 16 and 17 under 35 U.S.C. 102(b) based on Ching, and to allow all of the pending claims 1-9 and 12-20 as now presented for examination. An early notification of the allowability of claims 1-9 and 12-20 is earnestly solicited.

Respectfully submitted:

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